

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

HARBINGER CAPITAL PARTNERS LLC;
PHILIP A. FALCONE; and PETER A. JENSON,

Defendants.

Civil Action No. 12-CV-5028
(PAC)

ECF CASE

RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1, the undersigned counsel for Defendant Harbinger Capital Partners LLC (“HCP”) state that HCP is a limited liability company organized and existing under the laws of Delaware. It is therefore not a nongovernmental corporate party within the meaning of Rule 7.1, and Rule 7.1 does not require any disclosures with respect to it.

Dated: New York, New York
November 20, 2012

Respectfully submitted,
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

By: /s/ Leslie Gordon Fagen
Leslie Gordon Fagen (lfagen@paulweiss.com)
Walter Rieman (wrieman@paulweiss.com)
Roberto Finzi (rfinzi@paulweiss.com)
Steven C. Herzog (sherzog@paulweiss.com)

1285 Avenue of the Americas
New York, New York 10019-6064
(212) 373-3000

Attorneys for Defendant Harbinger Capital Partners LLC